

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | | |
|-------------|-----------------------------|---|---------------------------------------|--------------------|
| Applicant: | Kistler <i>et al.</i> | § | Group Art Unit: | 2188 |
| | | § | | |
| Serial No.: | 10/798935 | § | Examiner: | Unknown |
| | | § | | |
| Filed: | 03/11/2004 | § | Attorney Docket: | AUS9 2003 0926 US1 |
| | | § | | |
| Title: | Multiple Disk, Variable RPM | § | Intellectual Property Law Department | |
| | Data Storage System for | § | International Business Machines Corp. | |
| | Reducing Power Consumption | § | 11400 Burnet Road | |
| | | § | Austin, Texas 78758 | |

INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants submit herewith patent, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

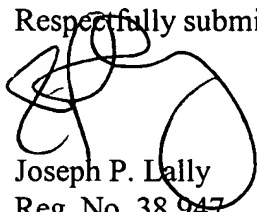
While this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g) the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

The attached form, PTO/SB/08, provides a listing of patents, publications, or other information as required by 37 CFR 1.98(a)(i). A copy of each of the non-patent literature listed on PTO/SB/08 is supplied herewith.

Because this IDS is being submitted prior to the issuance of a first Office Action, Applicant believes that no accompanying petition or fee is required.

Respectfully submitted,



Joseph P. Lally

Reg. No. 38,947

ATTORNEY FOR APPLICANT(S)

LALLY & LALLY, L.L.P.

P.O. Box 684749

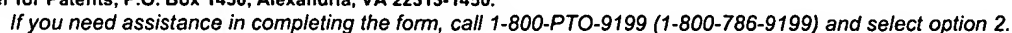
Austin, Texas 78768-4749

512.428.9870

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JPL/mmm

Attachment



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| | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------|---|----|---|--------------------------|--------------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 10/798935 |
| | | | | Filing Date | 03/11/2004 |
| | | | | First Named Inventor | Kistler |
| | | | | Art Unit | 2188 |
| | | | | Examiner Name | Unknown |
| | | | | Attorney Docket Number | AUS9 2003 0926 US1 |
| Sheet | 2 | of | 2 | | |

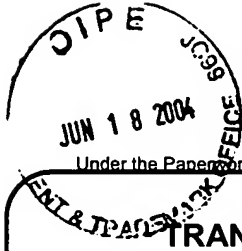
[illegible]

| | | | |
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| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | | |
|-------------------------------------------------------------------------------------|----------------------|------------------------|--------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/798935 | |
| | Filing Date | 03/11/2004 | |
| | First Named Inventor | Kistler | |
| | Art Unit | 2188 | |
| | Examiner Name | Unknown | |
| Total Number of Pages in This Submission | 34 | Attorney Docket Number | AUS9 2003 0926 US1 |

ENCLOSURES (Check all that apply)

| | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): A. 2 References B. Return Receipt Postcard |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|------------------------------------------|
| Firm or Individual name | Joseph P. Lally LALLY & LALLY, L.L.P. |
| Signature | |
| Date | June 15, 2004 |

CERTIFICATE OF TRANSMISSION/MAILING

| | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------|---------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | | Joseph P. Lally | |
| Signature | | Date | June 15, 2004 |

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